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PROMOTION AND PROTECTION OF HUMAN RIGHTS

Written statement* submitted by the International Federation of ACAT, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[29 January 2002]

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*This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Impunity, an encouragement to ongoing human rights violations

During its 57th session, the UN Human Rights Commission insisted on "the importance of the fight against impunity to prevent violations of international law concerning human rights and international humanitarian law" (Resolution 2001/70, adopted on 25 April 2001).

Therefore, the International Federation of ACAT (Action by Christians for the Abolition of Torture) hopes to draw the attention of members of the Commission to continuing instances of impunity in Togo and Chechnya because no action is being taken against those responsible for serious violations of human rights.

Togo: Entrenched impunity

There has been no real follow-up to the recommendations drawn up by the UN/OAU International Commission of Inquiry regarding violations of human rights in Togo.

Its report, published on 22 February 2001, outlines in particular crimes of torture, rape, numerous arbitrary arrests, forced or involuntary disappearances, numerous extrajudicial executions and other violations committed in the country. The authorities seem unwilling to seek out the perpetrators of these barbarous acts. Impunity continues and human rights are constantly violated. Despite promises and commitments made by the Togolese government, violence is often used to intimidate and gag any opposition.

Repeated physical attacks on members of opposition parties during the last three months of 2001 and the large number of arbitrary arrests suggest an upsurge in violence linked to the forthcoming legislative elections. Members of the CENI (Independent National Electoral Commission) were victims of serious violence in October 2001 in the northern part of the country. Leaders of the UFC party were similarly attacked in October 2001 in Kara, the ruling party's stronghold. During the same period, Aidam Cormelius, another opposition leader, was beaten up in the Lomé police headquarters and his attackers, although they have been clearly identified, are unintimidated. Prisoners of conscience include, among others, Mr Agboyibo (a lawyer and head of the Council of Action for Renewal), Mr Palanga (UFC) and Hounjo Mawudzuro (leader of the student union).

Appalled by this situation, FI.ACAT asks the members of the Human Rights Commission:

- to publish their report on the current situation in the country (under procedure 1503) so that the international community can gauge the real commitment of the Togolese authorities in favour of human rights protection;

- to demand that all the authorities in the country conform to the Lomé framework agreement signed in 1999 by the opposition parties and the ruling regime;

- to insist that the Togolese authorities identify and bring before the courts those responsible for crimes reported by the UN and OAU international commission;

- to demand that they immediately free prisoners of conscience currently incarcerated and ensure no further violations of freedom of expression and stop all repression and threats against political opponents.

Chechnya: The silence of the international community

FI.ACAT is extremely concerned by the worsening situation in the Chechen Republic.

In early 2002, Russia launched a number of violent attacks in the south of Chechnya, "cleaning-up" operations by the armed forced and the FSB (the security service) continue and the civilian population is the principal victim of the conflict. In January 2001, the Argoun, Ourous-Martan and Chali regions felt the full force of these operations and the capital, Grozny, is totally in ruins.

Using the fight against terrorism as a pretext and taking advantage of the panic following the attacks of 11 September, the Russian authorities intensified their military operations, with disproportionate and arbitrary strikes where once again the civilian population is the chief victim.

Back in summer 2001, in Sernovodsk, Assinovskaya, Goyskoe and Alleroy, attacks by fighters from all sides led to the perpetration of very serious human rights violations against the civilian population, whereby the forces in place stepped up the number of arbitrary arrests, carried out acts of torture and led punitive attacks.

Overall, violence against the civilian population, pillage, extortion, rape, forced disappearances, extrajudicial, summary and arbitrary executions and torture are widespread.

The slowness of the legal system and the unwillingness of the authorities to change things are apparent. Of 7000 complaints received by Vladimir Kalamanov's office, as Special Representative of the President of the Russian Federation for Human Rights in Chechnya, only 383 cases of crimes against civilians have been taken up officially. Most of the others are in limbo, either because they have been suspended or have yet to be properly registered.

In July 2001 the institutions of the Council of Europe took firm action to denounce this intolerable situation. As a result the European Committee for the Prevention of Torture (CPT) issued a public statement regarding the Chechen Republic, something it rarely does. The statement was deemed necessary because the Russian authorities failed to cooperate with the CPT in carrying out a detailed and independent inquiry into what happened in Tchernokosovo or into virtually any other violations linked to the conflict.

Despite the diplomatic efforts on the part of the Council of Europe, with the setting up of the Chechnya working group, no progress has been reported whatsoever. The resolutions adopted by the Human Rights Commission in 2000 and 2001 have not been followed up by any action.

This is why FI.ACAT is asking the members of the Human Rights Commission to take a firm stand on the situation in Chechnya and:

- strongly condemn the intolerable violations of international humanitarian and human rights law committed on Chechen soil;

- insist that national and international NGOs can return in safety to carry out their work in Chechnya;

- ask the Russian Federation to allow UN bodies to work within its borders and to ask special rapporteurs on extrajudicial executions, torture and impunity to go to Chechnya;

- insist that the Russian authorities open inquiries immediately into the violations, bring the perpetrators before the appropriate courts and ensure victims are compensated as soon as possible;

- require the setting up of an independent international commission of inquiry to assess the situation, investigate human rights violations and identify the perpetrators.